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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

DAVID S. SAVAGE,) No. CIV.S-04-2316 WBS KJM
Plaintiff,)
v.)
THE UNITED STATES OF AMERICA,)
Defendant.)

)

**APPLICATION TO EXTEND THE
TIME TO CONDUCT THE HEARING
ON DEFENDANT'S MOTION FOR
SUMMARY JUDGMENT AND
[PROPOSED] ORDER**

UNITED STATES OF AMERICA,)
Counterclaim Plaintiff,)
v.)
DAVID S. SAVAGE and PHYLISS SAVAGE,)
Counterclaim Defendants.)

)

Hearing Date: December 12, 2005
Location: Courtroom 5, 14th Floor
Time: 1:30 p.m.

Currently before the Court is Defendant The United States of America's Motion for Summary Judgment against Plaintiff David Savage. The hearing on said motion is currently set for December 12, 2005 at 1:30 p.m. in Courtroom 5.

The Parties respectfully apply, and hereby stipulate pursuant to LR 83-143 and LR 6-144, to an extension of time to continue the hearing to January 9, 2006 at 1:30 p.m. in Courtroom 5 before the Honorable Judge Shubb. This is the Parties' first application for an extension of time. The

1 extension is requested due to Plaintiff's counsel's heavy workload during time allotted to Oppose.
2 Pursuant to LR 78-230, any Opposition to the Motion shall be due no later than December 27, 2005.

3 DATED: November 18, 2005

4 McDONOUGH HOLLAND & ALLEN PC
5 Attorneys at Law

6 By: s/Robert R. Rubin
7 Robert R. Rubin
8 Attorneys for Plaintiff David S. Savage

9 DATED: November 18, 2005

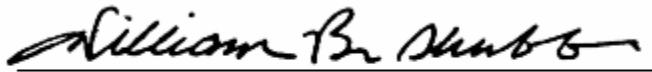
10 McDGREGOR W. SCOTT
11 United States Attorney

12 By: s/Richard A. Latterell
13 Richard A. Latterell
14 U.S. Department of Justice
15 Attorneys for the United States of America

16 **ORDER**

17 IT IS SO ORDERED.

18 DATED: November 18, 2005

19 
20 WILLIAM B. SHUBB
21 UNITED STATES DISTRICT JUDGE